

December 18, 2015

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
December 18, 2015

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD NOVEMBER 20, 2015

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD NOVEMBER 20, 2015?

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

MEMBERS OF THE PUBLIC ARE OFFERED AN OPPORTUNITY TO ADDRESS MEMBERS OF THE COMMISSION IN ACCORDANCE WITH THE OPEN MEETINGS ACT AND RULES OF THE CIVIL SERVICE COMMISSION.



V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

A. Report on Exempt Positions from Central Management Services

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	144.....	18
Agriculture	335.....	20
Arts Council	12.....	2
Capitol Development Board.....	49.....	0
Central Management Services.....	1,421.....	120
Children and Family Services	2,598.....	49
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	305.....	69
Commerce Commission	66.....	0
Corrections.....	11,798.....	98
Criminal Justice Authority	54.....	6
Deaf and Hard of Hearing Comm.....	6.....	1
Developmental Disabilities Council.....	9.....	1
Emergency Management Agency.....	79.....	6
Employment Security.....	1,208.....	32
Environmental Protection Agency.....	730.....	18
Financial & Professional Regulation.....	437.....	49
Gaming Board	172.....	6
Guardianship and Advocacy	100.....	8
Healthcare and Family Services	2,002.....	26
Historic Preservation Agency.....	134.....	15
Human Rights Commission.....	14.....	2
Human Rights Department.....	126.....	9
Human Services	13,356.....	76
Illinois Torture Inquiry Relief Commission	2.....	1
Independent Tax Tribunal	1.....	0
Insurance	255.....	16
Investment Board	3.....	2
Juvenile Justice.....	1,041.....	25
Labor.....	89.....	11
Labor Relations Board Educational.....	9.....	2
Labor Relations Board State.....	14.....	2
Law Enforcement Training & Standards Bd.	19.....	2
Lottery.....	137.....	7
Military Affairs	128.....	3
Natural Resources	1,249.....	31
Pollution Control Board	19.....	2
Prisoner Review Board.....	22.....	0
Property Tax Appeal Board.....	33.....	1
Public Health.....	1,149.....	41
Racing Board.....	2.....	1
Revenue.....	1,620.....	54
State Fire Marshal	123.....	12
State Police.....	1,079.....	10
State Police Merit Board	6.....	2
State Retirement Systems.....	97.....	3
Transportation	2,282.....	0
Veterans' Affairs.....	1,385.....	10
Workers' Compensation Commission.....	120.....	11
TOTALS	46,043.....	880



B. Governing Rule – Section 1.142 Jurisdiction B Exemptions

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
 - 1) The amount and scope of principal policy making authority;
 - 2) The amount and scope of principal policy administering authority;
 - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
 - 4) The capability to bind the agency, board or commission to a course of action;
 - 5) The nature of the program for which the position has principal policy responsibility;
 - 6) The placement of the position on the organizational chart of the agency, board or commission;
 - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

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C. Illinois Department of Agriculture – proposed exemption

Position Number	40070-11-00-000-10-01
Functional Title	Deputy Director
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarity of the requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

D. Illinois Department of Central Management Services – proposed exemption

Position Number	40070-37-10-500-00-01
Division	Bureau of Communication and Computer Services (BCCS)
Functional Title	Chief Data Officer
Incumbent	Vacant
Supervisor	BCCS Deputy Director who reports to the Assistant Director who reports to the Director
Location	Cook County

CMS Recommendation: “This position meets the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

E. Illinois Department of Human Services – proposed exemption

Position Number	40070-10-41-350-00-01
Division	Rehabilitation Services
Functional Title	Manager, Home Services Electronic Visit Verification (EVV) / Individual Provider Coordination Program
Incumbent	Vacant
Supervisor	Bureau Chief, Program Services who reports to the Director, Rehabilitation Services who reports to the Assistant Secretary who in turn reports to the Secretary
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarity of the requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”



F. Illinois Department of Juvenile Justice – proposed exemption

Position Number	40070-27-00-001-20-01
Functional Title	Quality Assurance & Research Manager
Incumbent	Vacant
Supervisor	Chief of Staff who reports to the Director
Location	Cook County

CMS Recommendation: “This position meets the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

- C: Deputy Director (Agriculture)**
- D: Chief Data Officer (Central Management Services)**
- E: Manager, Home Services Electronic Visit Verification (EVV)/Individual Provider Coordination Program (Human Services)**
- F: Quality Assurance & Research Manager (Juvenile Justice)**

VI. CLASS SPECIFICATIONS

A. Governing Rule – Section 1.45 Classification Plan

The Commission will review the class specifications requiring Commission approval under the Classification Plan and will approve those that meet the requirements of the Personnel Code and Personnel Rules and conform to the following accepted principles of position classification:

- a) The specifications are descriptive of the work being done or that will be done;
- b) Identifiable differentials are set forth among classes that are sufficiently significant to permit the assignment of individual positions to the appropriate class;
- c) Reasonable career promotional opportunities are provided;
- d) The specifications provide a reasonable and valid basis for selection screening by merit examinations;
- e) All requirements of the positions are consistent with classes similar in difficulty, complexity and nature of work.



B. None submitted

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF BUT NOT INCLUDED IN THIS AGENDA TO ALLOW ADEQUATE STUDY?

VII. PERSONNEL RULES

A. Civil Service Commission Governing Rule – Section 1.310 Personnel Rules

The Commission has power to disapprove new rules or amendments to existing rules submitted by the Director of Central Management Services. Such proposed new rules or amendments of existing rules submitted to the Commission shall be accompanied by a report of proceedings attending the prior public hearing required by law with respect to them. If the Commission does not disapprove new rules or any amendment to existing rules within 30 days following the receipt from the Director of Central Management Services, the new rules or amendments have the force and effect of law after filing by the Director with the Secretary of State.

B. None submitted

WILL THE COMMISSION DISAPPROVE ANY AMENDMENTS TO PERSONNEL RULES RECEIVED BY THE COMMISSION STAFF BUT NOT INCLUDED IN THIS AGENDA TO ALLOW ADEQUATE STUDY?

VIII. MOTION TO CLOSE A PORTION OF THE MEETING

PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION CLOSE A PORTION OF THE MEETING TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?



IX. RECONVENE THE REGULAR OPEN MEETING

X. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	10/31/15	11/30/15	11/30/14
Agriculture	4	0	0
Arts Council	0	1	0
Central Management Services	2	2	1
Children and Family Services	1	0	0
Healthcare and Family Services	3	2	2
Historic Preservation Agency	2	0	0
Human Services	12	12	2
Juvenile Justice	0	1	0
Natural Resources	9	13	5
Revenue	1	2	0
State Retirement Systems	3	1	0
Transportation	3	0	0
Workers Compensation Commission	3	1	1
Totals	43	35	11

XI. PUBLICLY ANNOUNCED DECISION RESULTING FROM APPEAL

DA-49-15

Employee	Joseph Segobiano	Appeal Date	06/02/15
Agency	Human Services	Decision Date	12/07/15
Type	Discharge	Proposal for Decision	30-day suspension plus duration of suspension pending discharge.
ALJ	Andrew Barris		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?



XII. APPEALS TERMINATED WITHOUT DECISION ON THE MERITS

DA-4-16

Employee	Ivory T. Flucas	Appeal Date	07/24/15
Agency	Children & Family Services	Decision Date	11/17/15
Appeal Type	Discharge	Proposal for	Dismissed; settled.
ALJ	Daniel Stralka	Decision	

S-15-15^A

Employee	Susan L. Williams	Appeal Date	09/29/14
Agency	Revenue	Decision Date	12/07/15
Appeal Type	Suspension	Proposal for	Dismissed; settled.
ALJ	Daniel Stralka	Decision	

S-28-15

Employee	Susan L. Williams	Appeal Date	12/16/14
Agency	Revenue	Decision Date	12/07/15
Appeal Type	Suspension	Proposal for	Dismissed; settled.
ALJ	Daniel Stralka	Decision	

S-6-16

Employee	Susan L. Williams	Appeal Date	08/04/15
Agency	Revenue	Decision Date	12/07/15
Appeal Type	Suspension	Proposal for	Dismissed; settled.
ALJ	Daniel Stralka	Decision	

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSALS FOR DECISION IN THE ABOVE MATTERS?

XIII. RECOGNITION OF CHAIRMAN BATES

^A On June 16, 2015 appeal S-28-15 was consolidated under S-15-15. On August 21, 2015 S-6-16 was consolidated under S-15-15.



XIV. REVIEW OF CLOSED MEETING MINUTES PURSUANT TO OPEN MEETINGS ACT

AFTER REVIEW OF THE CLOSED MEETING MINUTES PURSUANT TO THE OPEN MEETINGS ACT, WILL THE COMMISSION AGREE THAT THE NEED FOR CONFIDENTIALITY STILL EXISTS?

XV. APPROVAL OF THE DESTRUCTION OF THE AUDIO VERBATIM RECORDINGS OF CLOSED SESSIONS PRIOR TO JULY 1, 2013 IN ACCORDANCE WITH THE OPEN MEETINGS ACT

WILL THE COMMISSION APPROVE THE DESTRUCTION OF THE AUDIO VERBATIM RECORDINGS OF CLOSED SESSIONS PRIOR TO JULY 1, 2013^B IN ACCORDANCE WITH THE OPEN MEETINGS ACT?

XVI. CHAIRMAN REPORT

XVII. STAFF REPORT

XVIII. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

The next regular open meeting is to be held at 11:00 a.m. on Friday, January 15, 2016 at the Commission's Chicago office.

XIX. MOTION TO ADJOURN

^B The Commission voted on July 15, 2011 to maintain audio verbatim recordings for a minimum of 24 months before destruction.

